

5050-64/dmf

UNITES STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

-----X
KEVIN GREENE,

Plaintiff,

-against-

NOTICE OF MOTION

9:17-CV-1184 (TJM/ATB)

THE COUNTY OF ULSTER, CORRECTIONS OFFICER
SHAWN ROCHE, CORRECTIONS OFFICER KYLE
MANNER, CORRECTIONS OFFICER JASON BLEU and
JOHN/JANE DOES 1-100 in their official capacity and
individually, the names being fictitious, as their entire names
are presently unknown,

Defendants.
-----X

S I R (S):

PLEASE TAKE NOTICE, that upon the annexed affidavit of David L. Posner, sworn to the 2nd day of February, 2018, the attached exhibit, and memorandum of law for an order dismissing plaintiff's Fourth Cause of Action in the complaint alleging a violation of the New York State Constitutions' guarantee of Equal Protection for failure to state a claim, said motion to be heard before this Court on the 12th day of March, 2018, at 10:00 a.m. in the forenoon at the courthouse located at Albany, New York.

DATED: Poughkeepsie, New York
February 2, 2018

Yours, etc.

McCABE & MACK LLP

By: 

David L. Posner

Attorneys for Defendant Ulster County
63 Washington Street
P.O. Box 509
Poughkeepsie, NY 12602-0509
Tel: (845) 486-6800

5050-64/dmf

TO: DUWAINE T. BASCOE, ESQ.
WOODS OVIATT GILMAN LLP
Attorneys for Plaintiff
700 Crossroads Building
2 State Street
Rochester, NY 14614

THOMAS K. MURPHY, ESQ.
MURPHY BURNS LLP
Attorneys for Shawn Roche
407 Albany Shaker Road
Loudonville, NY 12211